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October 30, 1998

Mr. Thomas J. Martin  
Associate Regional Counsel  
United States Environmental Protection Agency  
Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

Re: Special Notice of Liability  
Sauget Area 1 Site  
Sauget/Cahokia, Illinois

Dear Mr. Martin:

This will supplement our letter of October 5, 1998 in which we furnished a copy of the Certificate of Dissolution of The Cardinal Construction Company (Cardinal) on December 18, 1997.

You have provided us with a portion of the deposition of Paul Tandler dated June 8, 1994. Apparently Mr. Tandler's testimony is the sole basis for including Cardinal as a P.R.P., inasmuch as no other facts have been furnished.

Indeed, the officers of Cardinal had been unaware that it had even been mentioned in the deposition or involved in this matter in any way until the Notice in September of this year.

According to Mr. Tandler's testimony, in the 1950s or early 1960s, silt had accumulated in Dead Creek which blocked the flow of drainage from Cerro Copper into Dead Creek. The Village of Sauget provided assistance in dredging the creek "to clear our sewers for discharge into Dead Creek". The dredged material "was simply deposited on the east bank of Dead Creek", was left there and not removed. This was the only instance of dredging he could recall. Mr. Tandler recalled the name "Cardinal Construction Company" on the drag line. He did not specify the extent of the dredge or the amount of material or silt placed on the bank of the Creek.

U.S. ENVIRONMENTAL  
PROTECTION AGENCY

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OFFICE OF REGIONAL  
COUNSEL

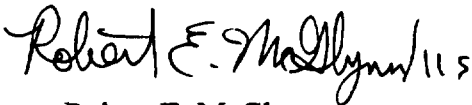
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Cardinal did not manufacture, treat, process, or dump any of the toxic materials which are the subject of this proceeding. There are no facts that Cardinal either hauled to or deposited any toxic materials into the Creek. In any event, that sort of activity was not the line of work Cardinal performed.

Given the nature of the pollution, the parties involved, and the extent of their participation, what is alleged to have been done by Cardinal could at most be considered "de minimus". In addition, Cardinal does not have assets to contribute to clean-up or participate further.

All things considered, the equities are such that Cardinal should be dismissed as a P.R.P., and we therefore respectfully request such dismissal with no further participation by Cardinal.

Yours very truly,

A handwritten signature in cursive script, reading "Robert E. McGlynn/lls".

Robert E. McGlynn  
Attorney for The Cardinal Construction Co.

REM/lls